

FILED

JUN 06 2013

**Clerk, U S District Court
District Of Montana
Billings**

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

TODD KENNETH HOROB,

Plaintiff,

vs.

UNITED STATES DISTRICT
COURT BILLINGS, MT,

Defendant.

No. CV 13-63-BLG-SEH

ORDER

On May 29, 2013, Plaintiff Todd Horob filed a nondescript motion in this case and CV 13-59-BLG-SEH in which he states he is “documenting fraud.” Judgment was issued on May 13, 2013. The motion can be construed, if at all, only as a motion to alter or amend judgment pursuant to Rule 59(e) of the Federal Rules of Civil Procedure.

“In general, there are four basic grounds upon which a Rule 59(e) motion may be granted: (1) if such motion is necessary to correct manifest errors of law

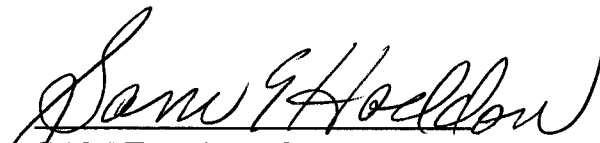
or fact upon which the judgment rests; (2) if such motion is necessary to present newly discovered or previously unavailable evidence; (3) if such motion is necessary to prevent manifest injustice; or (4) if the amendment is justified by an intervening change in controlling law.” Allstate Ins. Co. v. Herron, 634 F.3d 1101, 1111 (9th Cir. 2011). Relief under Rule 59(e) is “extraordinary” and “should be used sparingly.” McDowell v. Calderon, 197 F.3d 1253, 1255 n. 1 (9th Cir. 1999).

Plaintiff has made no showing warranting relief. He simply continues to argue that the court record in his criminal case was somehow altered and/or fabricated, an issue fully litigated in CR-08-93-BLG-RFC.

ORDERED:

1. Plaintiff’s Motion is¹ is DENIED.
2. No motions for reconsideration or rehearing will be entertained and the Clerk of Court is directed to discard any such motions.

DATED this 6th day of June, 2013.


SAM E. HADDON
United States District Judge

¹Document No. 6.